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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,944	03/30/2004	David E. Chambers	122704.00003	5789

26707 7590 04/29/2008  
QUARLES & BRADY LLP  
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EXAMINER
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CHAMPAGNE, LUNA

ART UNIT	PAPER NUMBER
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3627

MAIL DATE	DELIVERY MODE
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04/29/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/813,944	<b>Applicant(s)</b> CHAMBERS, DAVID E.	
	<b>Examiner</b> LUNA CHAMPAGNE	<b>Art Unit</b> 3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/23/07</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Peterson et al. (6,324,522 B2).

Re claims 1, 11, 18, 23, 24, 31, 32, Peterson et al. teach a method of processing commercial transactions/ acquiring goods or services through an Internet website (see *e.g. col. 6, lines 31-34, 57-61*), comprising: submitting a request for goods or services through an Internet website; selecting suppliers to receive the request based on geographical area or predefined grouping of the suppliers (see *e.g. col. 8, lines 38-41*); transmitting the request to the suppliers (see *e.g. col. 26, lines 9-11*); communicating a return quote from the suppliers in response to the request (see *e.g. col. 28, lines 32-34*); and transmitting the return quote through the Internet website to an originator of the request (see *e.g. col. 43, lines 8-25*).

Re claims 2, 14, 19 and 27, Peterson et al. teach a method wherein the request identifies the goods or services (see *e.g. col. 8, lines 38-41*).

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Re claims 3, 12, and 25, Peterson et al. teach a method, wherein the Internet website maintains a listing of suppliers (*see e.g. col. 1, lines 65-67*).

Re claims 4, 13, 26, 33, Peterson et al. teach a method wherein the originator designates a geographic area to select suppliers from the listing of suppliers (*see e.g. col. 8, lines 47-61*).

Re claims 5, 7, 15, 16, 20, 21, 28, 29, 34, 35, Peterson et al. teach a method wherein the request is transmitted to the suppliers through electronic mail; the return quote is transmitted to the originator through electronic mail (*see e.g. col. 8, lines 7-9*).

Re claim 6, Peterson et al. teach a method wherein the return quote from the suppliers including pricing information (*see e.g. col. 28, lines 32-34*).

Re claim 8, Peterson et al. teach a method further including the step of selecting at least one of the suppliers to supply the goods or services (*see e.g. col. 9, lines 60-65*).

Re claim 9, Peterson et al. teach a method, wherein the commercial transactions are maintained on the Internet website (*see e.g. col. 43, lines 39-46*).

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Re claims 10, 17, 22, 30, 36, Peterson et al. teach a method wherein the commercial transactions are available for searching and reporting (*see e.g. col. 33, lines 8-10; col. 43, lines 39-46*).

### **Conclusion**

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Barnes et al. (5,970,475), Shavit et al. (5,970,475), Quelene (6,453,306 B1), Uzo (2003/0061170 A1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUNA CHAMPAGNE whose telephone number is (571)272-7177. The examiner can normally be reached on Monday - Friday 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/F. Ryan Zeender/  
Supervisory Patent Examiner, Art Unit 3627

/Luna Champagne/  
Examiner, Art Unit 3627

April 18, 2008